



Customer No. 22,852
Attorney Docket No. 05638.0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Jörg BERNARD et al.) Group Art Unit: 1761
)
Application No.: 10/088,602)
) Examiner: L. Wong
Filed: August 23, 2002)
)
For: HARD CANDY WITH) Confirmation No. 6889
IMPROVED STORAGE)
STABILITY)

MAIL STOP RCE
Assistant Commissioner for Patents
Washington, DC 20231
BOX: PCT

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO/SB/08. This Information Disclosure Statement is being filed with a Request for Continued Examination.

Copies of the listed foreign and non-patent literature documents are attached. E19532396C2, listed on the accompanying PTO/SB/08, is not in the English language. In lieu of a statement of relevance or English translation, Applicants enclose the corresponding U.S. Patent Application No. 09/030,295, which is in English.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine

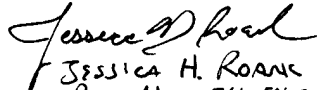
that the cited documents do not constitute "prior art" under United States law,
Applicants reserve the right to present to the office the relevant facts and law regarding
the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the
patentability of the disclosed invention over the listed documents, should one or more of
the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



By: Jessica H. Roane For:
Reg. No. 54,869
David S. Forman
Reg. No. 33,694

Dated: August 16, 2006

AUG 16 2006

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/088,602

Filing Date

August 23, 2002

First Named Inventor

Jörg BERNARD et al.

Art Unit

1761

Examiner Name

L. Wong

Attorney Docket Number

05638.0018

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		195 32 396 C2	03-06-1997	Sudzucker Aktiengesellschaft Mannheim/Ochsenfurt		No

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		U.S. Serial No. 09/030,295, K. RAPP et al., "Sugar-free Products with Improved Characteristics."	
		J. RAUDONUS et al., "Effect of Oligomeric or Polymeric Additives on Glass Transition, Viscosity and Crystallization of Amorphous Isomalt," (2000) Food Res. Int'l 33: 41-51.	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.